

REMARKS

Claims 1-18, 22 and 28-30 are now pending in the application. Claims 1-18, 22 and 28-30 were allowed and are now rejected by the Examiner based on newly discovered references. Claims 1-18, 22 and 28 have been amended herein and new Claims 31-38 have also been added herein. Reconsideration is respectfully requested in light of the present amendments and the following remarks. The above amendments and following remarks are believed to be fully responsive to the outstanding Office Action and to render all claims at issue patentably distinct over the cited references.

REJECTION UNDER 35 U.S.C. §102

The Examiner has rejected Claims 22 and 28-30 under 35 U.S.C. §102(b) as being anticipated by Pryor (U.S. Patent No. 5,380,978). This rejection is respectfully traversed. It is believed that the originally filed claims are patentably distinct over the cited references. Notwithstanding, Claim 22 has been amended to remove the term “a device” and replace it with the broader term “apparatus”. Claim 28 has been amended to delete the term “device” and replace it with the broader term “system”. Claims 22 and 28, as amended, positively claim a connecting element as part of the apparatus or system. In contrast, Pryor does not disclose the claimed combination of elements, especially as amended. For example, Pryor teaches methods for electro-optical guided positioning that use optical datum that is observed by optical sensors or camera systems. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

The Examiner has rejected Claims 1-10 under 35 U.S.C. §102(e) as being anticipated by Heintzeman (U.S. Patent No. 6,375,395). This rejection is respectfully

traversed. It is believed that the originally filed claims are patentably distinct over the cited references. Notwithstanding, Claims 1-10 have been amended to state that the claimed invention is a system. Support for this amendment can be found throughout the application in at least paragraphs [0010] and [0021] – [0024] of the originally filed application. Claims 1-10, as amended, positively claim a connecting element as part of the positioning system. In contrast, Heintzeman does not disclose the claimed combination of elements, especially as amended. For example, Figures 1-6 and the accompanying text teach the use of a drill that bores one or more holes into a workpiece, but no connecting element is disclosed. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

The Examiner has rejected Claims 1-6 and 10-18 under 35 U.S.C. §102(e) as being anticipated by Schluter et al. (U.S. Patent No. 6,114,651). This rejection is respectfully traversed. It is believed that the originally filed claims are patentably distinct over the cited references. Notwithstanding, Claims 1-10 have been amended as discussed above. Claims 11-14 have been amended to state that the invention is a system. Claims 15-18 have been amended to state that the invention is a positioning apparatus. Support for these amendments can be found throughout the application in at least paragraphs [0010] and [0021] – [0024]. Claims 1-6 and 10-14, as amended, positively claim a connecting element as part of the system. Claims 15-18, as amended, positively claim a connecting element as part of the apparatus. In contrast, Schluter et al. does not disclose the claimed combination of elements, especially as amended. For example, Schluter et al. does not teach or suggest the use of a

connecting element. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

All claim amendments not specifically discussed herein have been made to either broaden the claim or to improve grammar and not to overcome any cited references. Therefore, all of the claims should be entitled to their full range of equivalents.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is requested to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 

Monte L. Falcoff
Reg. No. 37,617
Michael J. Lang, Ph.D.
Reg. No. 51,120

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600
MLF/MJL/csd